IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 553 OF 2007

Mr. Claudia Marquis and 12 Ors. ... Petitioners

V/s

State of Goa
through Chief Secretary and 6 Ors. .... Respondents.

Mr. A.N.S. Nadkarni, Advocate for the Petitioners.
Mr. S.R. Rivonkar, Govt. Advocate for Respondents No. 1 to 5.
Mr. Vivek Rodrigues, Advocate for Respondents No. 6 & 7.

Coram :- F.I. REBELLO, J.
N.A. BRITTO, J.

Date :- 21st November, 2007.

ORAL ORDER :

We have heard Counsel for the Petitioners, Counsel for Respondents No.1 to 5 as also Counsel for Respondents No. 6 and 7. After hearing parties, we are of the opinion that this petition can be disposed off by issuing following directions;

1. It is the contention of the Petitioners that their trucks and similarly other trucks have been prevented from moving. Considering that we direct Respondents No. 1 to 5 to give all assistance to the Petitioners and others similarly situated to enable them to move/drive their trucks. On behalf of Respondents No.6 and 7, the learned Counsel states that the Petitioners and others similarly situated can drive their trucks from the place where they presently are and that they will not create any obstruction for the trucks being shifted.

2. The Petitioners' other contention is that obstructions have been put on the road by Respondents No. 6 and 7 by putting up tents. Counsel on behalf of Respondents No. 1 to 5, on taking instructions, makes a statement that there is no obstruction on the road. However, if there be any obstruction on the road, such obstruction will be removed. No citizen, however good their cause may be, can take law in their own hands and/or obstruct plying of vehicles on public roads.

3. In so far as the agitations by Respondents No. 6 and 7 are concerned, the Court cannot interfere in whatever legitimate protest they may have as long as their protests are non-violent. Respondents No. 1 to 5 to take steps to solve the legitimate problems of the people represented by Respondents No. 6 and 7.

4. Respondents No. 6 and 7 contends that they have filed proceedings under Section 133 Cr. P.C. before the Deputy Collector which are pending against the Petitioners and some others which are pending. The Deputy Collector to consider the same according to law and dispose off the same at the earliest.

2. With the above directions, petition stands disposed off.

F.I. REBELLO, J.

N.A. BRITTO, J.

NH/-